

FILED

MAY 13 2010

**SECRETARY, BOARD OF
OIL, GAS & MINING**

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**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

UTAH CHAPTER OF THE SIERRA
CLUB, SOUTHERN UTAH
WILDERNESS ALLIANCE, NATURAL
RESOURCES DEFENSE COUNCIL, and
NATIONAL PARKS CONSERVATION
ASSOCIATION,

Petitioners,

v.

DIVISION OF OIL, GAS & MINING,

Respondent,

ALTON COAL DEVELOPMENT, LLC,
and KANE COUNTY, UTAH,

Respondent/Intervenors.

**NOTICE OF SUPPLEMENTAL
DEPOSITION OF PETITIONERS
PURSUANT TO RULE 30(b)(6)**

Docket No. 2009-019

Cause No. C/025/0005

PLEASE TAKE NOTICE that, pursuant to the order of the Utah Board of Oil, Gas and Mining, the Utah Rule of Civil Procedure 30(b)(6) and subsequent agreement, Intervenor-Respondent Alton Coal Development, LLC, and Respondent Division of Oil, Gas and Mining will take the supplemental deposition upon oral examination of the person(s) most qualified for Petitioners concerning the topic described below. The deposition shall commence at 9:30 a.m. on Wednesday, May 19, 2010 at the offices of Snell & Wilmer, LLP, 15 West South Temple, Suite 1200, Salt Lake City, Utah. The deposition will be recorded stenographically before an officer authorized by law to administer oaths.

DEFINITIONS AND INSTRUCTIONS

The following definitions and instructions apply to the subjects listed below:

A. The terms “You,” “Your,” and “the Petitioner” means the Utah Chapter of the Sierra Club, Southern Utah Wilderness Alliance, Natural Resources Defense Council and National Parks Conservation Associates (collectively, “**Petitioners**”), including all of its leadership, administrators, officers, personnel and all of its locations including all administrative locations and all subsidiary organizations, affiliates and all past or present leaders, administrators, officers and personnel and attorneys, persons or other entities acting on behalf of any person or office of the Petitioners.

B. The terms “and” and “or” are terms of inclusion and not of exclusion and are to be construed either disjunctively or conjunctively as necessary to bring within the scope of these topics any responses that might otherwise be construed to be outside their scope. The word “all” shall mean “any and all.”

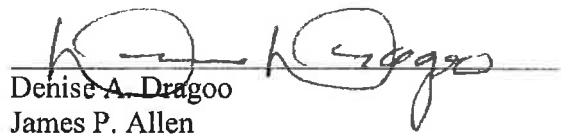
C. Nouns, whether singular or plural herein, shall be construed either as singular or plural as necessary to bring within the scope of these topics any responses which might otherwise be construed to be outside their scope.

D. The work "including" means "including without limitation," as appropriate, so as to bring within the scope of the topic all responses that might otherwise be construed to be outside of its scope.

DEPOSITION TOPICS

Pursuant to Utah Rule of Civil Procedure 30(b)(6), the Petitioners shall designate to testify on its behalf the person or persons most knowledgeable concerning Petitioners' site visit to the Coal Hollow Mine and adjacent areas and any field notes, photographs, video recordings and records and reports of all samples collected and measurements taken during the visit to the Coal Hollow mine site and adjacent area on or about May 11-12, 2010.

RESPECTFULLY SUBMITTED this 13th day of May, 2010.


Denise A. Dragoo
James P. Allen

Landrum & Shouse LLP
Bennett E. Bayer (*Pro Hac Vice*)
Attorneys for Intervenor-Respondent
Alton Coal Development, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of May, 2010, I e-mailed a true and correct pdf copy of the foregoing **NOTICE OF SUPPLEMENTAL DEPOSITION PETITIONERS**

PURSUANT TO RULE 30(b)(6) to the following:

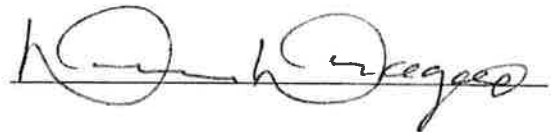
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James Scarth, Esq. (attorneyasst@kanab.net)
Kane County Attorney

A handwritten signature in dark ink, appearing to read "Frederic Donaldson", written over a horizontal line.